



PATENT
Atty. Dkt. No. ABI1460-3
(071243-1317)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Desai et al.

Title: COMPOSITIONS AND
METHODS FOR TREATMENT
OF HYPERPLASIA

Appl. No.: 09/847,945

Filing Date: May 2, 2001

Examiner: Gollamudi

Art Unit: 1616

CERTIFICATE OF MAILING

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Stephen E. Reiter. Reg. No. 31,192

(Printed Name)

SEP E. L.

(Signature)

12/23/04

(Date of Deposit)

COMMISSIONER FOR PATENTS
P O BOX 1450
ALEXANDRIA VA 22313 1450

IDS TRANSMITTAL

Sir:

Transmitted herewith for the above-identified application please find:

- (1) Information Disclosure Statement.
- (2) Completed Form PTO/SB/08
- (3) Copies of the cited reference A1-A8
- (4) A check in the amount of \$180.00.
- (5) Postcard

In re Application of:
Desai and Soon-Shiong
Application No.: 09/847,945
Page 2

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A check in the amount of \$180.00 is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 12/23/04

FOLEY & LARDNER LLP
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By Stephen E. L.

Stephen E. Reiter
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Atty. Dkt. No. ABI1460-3
(071243-1317)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Desai et al.

Title: COMPOSITIONS AND
METHODS FOR TREATMENT
OF HYPERPLASIA

Appl. No.: 09/847,945

Filing Date: 05/02/2001

Examiner: S. Gollamudi

Art Unit: 1616

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Stephen E. Reiter

(Printed Name)

Stephen E. Reiter

(Signature)

12/23/04

(Date of Deposit)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment-IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. The documents were cited by the Examiner in related applications 09/446,783, filed May 16, 2000;; 09/628,387, filed August 1, 2000; 09/628,389, filed August 1, 2000; and 10/345,031, filed January 14, 2003.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

In re application of
Desai et al.
Application No.: 09/847,945

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

In re application of
Desai et al.
Application No.: 09/847,945

Atty. Dkt. No. ABI1460-3
(071243-1317)

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Respectfully submitted,


Date 12/23/04

FOLEY & LARDNER LLP
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By Stephen E. Reiter

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09/847,945
				Filing Date	May 2, 2001
				First Named Inventor	Desai
				Group Art Unit	1616
				Examiner Name	Gollamudi
Sheet	1	of	1	Attorney Docket Number	ABI1460-3 (071243-1317)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5415869		Straubinger et al.	05-16-1995	
	A2	5439686		Desai	08-08-1995	
	A3	5700471		End et al.	12-23-1997	
	A4	5741522		Violante et al.	04-21-1998	
	A5	6096331		Desai	08-01-2000	
	A6	6197349		Westesen et al.	03-06-2001	
	A7	6506405		Desai	01-14-2003	

FOREIGN PATENT DOCUMENTS

[illegible]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A8	Bartoli et al., In vitro and in vivo antitumoral activity of free, and encapsulated taxol. Journal of Micro., 7:191-197, April-June 1990.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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